

REMARKS

The Present Application was submitted to the U.S. Patent and Trademark Office on 20 July 2006, and the requirements for 35 USC § 371(c) were completed on 26 April 2007. The Present Application is a U.S. National Phase entry from PCT Patent Application No. PCT/EP2005/0000590, and claims priority to German Patent Application No. 102004004240.3, filed on 27 January 2004. Claims 26-50 are currently pending in the Present Application, with Claims 1-25 being previously cancelled. By this Response, Independent Claim 26 has been amended, to further clarify the Present Application.

In the 18 September 2008 Office Communication, the Examiner rejected Claims 26, 28-31, 33-4, and 37-40 as being anticipated by *Kerek* (U.S. Patent No. 5,140,661). In response, Applicant respectfully asserts that Independent Claim 26 of the Present Application, as amended, is not anticipated by *Kerek*, as *Kerek* does not disclose each and every element of Independent Claim 26, as amended.

Generally, *Kerek* purports to disclose an optical fiber connector, in which multiple termini of fibers can be connected in such a way to allow the efficient transfer of energy signals between the fibers. The embodiment of *Kerek* specifically referenced by the Examiner in his rejection is that disclosed with reference to Figures 1-5. Within this embodiment, Figure 4 illustrates a cross-section of one of the optical fiber connectors, in which lens 56 is illustrated as being aligned with second lens 56'.

In the 18 September 2008 Office Communication, the Examiner referred to reference numeral 58 as anticipating a "connector housing/mating receptacle/tube ... for mating connection with said complementary connector." 18 Sep 08 Office

Communication, p. 3. Applicant respectfully asserts that reference numeral 58, described in *Kerek* as an alignment tube, can not be a connector housing, as that phrase is used in the Present Application. Independent Claim 26, as amended, explicitly requires a connector housing "including a mating receptacle for establishing a connection with said complementary connector." Alignment tube 58 is illustrated in Figures 1, 2 and 4 as being merely a tube-like element. Such cannot qualify as a connector housing.

Even if it can be stated that alignment tube 58 could act as a connector housing, alignment tube 58 still does not meet the requirements of Independent Claim 26, as amended, in that it does not include a mating receptacle, as that phrase is used in the Present Application. In this regard, the Examiner contended that the connector housing/mating receptacle/tube 58 includes "at least one sleeve 18 forming a channel 24 and a channel extension 28." 18 Sep 08 Office Communication, p. 3. However, alignment tube 58 is slidably received about the outer endwall portion and lens of the termination device. *Kerek*, col. 4, lns. 37-8. Further, it cannot be said that alignment tube 58 includes an integrally-formed sleeve protruding from a side of the alignment tube. Reference numeral 18 is described as the termination device of the *Kerek* disclosure, and is not a part of alignment tube 58, as is required by Independent Claim 26, as amended. Additionally, alignment tube 58 is disposed around only a portion of endwall portion 24, and not, in any way, around central portion 28. According to the requirements of Independent Claim 26, as amended, both the channel and the channel extension are portions of the sleeve, which itself is a portion of the mating receptacle.

Therefore, both the channel and the channel extension are required to be disposed within the mating receptacle. This is not possible in the disclosure of *Kerek*.

Thus, Applicant respectfully asserts that, in contrast with Independent Claim 26, as amended, alignment tube 58 of *Kerek* does not include at least one protruding and integrally-formed sleeve having a channel and channel extension adjacent one another along a stop surface (support for the amendments to Independent Claim 26 can be found in at least Paragraphs 0074 and 0077).

Additionally, Applicant respectfully asserts that the clamping elements of *Kerek* do not define a gradually narrowing opening in the channel extension, longitudinally spaced from the stop surface and arranged with a set-back relative to the front optical contact surface such that the front end of the at least one optical fiber section extends beyond the gradually narrowing opening in the channel extension adjacent to the complementary optical terminal element of the complementary connector, as is required by Independent Claim 26, as amended. As illustrated clearly in Figures 4 and 5, the annular ribs disclosed in *Kerek* do not provide for a gradually narrowing opening in the ferrule central portion. Rather, the annular ribs in *Kerek* provide indentations at various points along synthetic plastic buffer tubing 14. Consequently, it cannot be said that the front end of the synthetic plastic buffer tubing 14 extends beyond the gradually narrowing opening in the ferrule central portion.

Thus, Applicant respectfully asserts that, in contrast with Independent Claim 26, as amended, the cramping elements of *Kerek* do not define a gradually narrowing opening in the channel extension.

Finally, Applicant respectfully asserts that the disclosure of *Kerek* fails to disclose “a stop surface *for said complementary optical terminal element*” (emphasis added), as that phrase is understood by the Present Invention. Rather, while the disclosure of *Kerek* potentially can be said to have a stop surface (pointed out by the Examiner as the surface defining tapered cavity 30), it is impossible that the stop surface be accessed by the complementary optical terminal element. Reference is made to Figure 4 to show this impossibility.

In light of the discussion above, Applicant respectfully asserts that *Kerek* does not anticipate each and every element of Independent Claim 26, as amended. Further, as Dependent Claims 28-31, 33-4 and 37-40 are ultimately dependent from Independent Claim 26, as amended, Applicant respectfully asserts that *Kerek* does not anticipate each and every limitation of Dependent Claims 28-31, 33-4 and 37-40 as well.

Additionally in the 18 September 2008 Office Communication, the Examiner rejected Claims 26 and 28-31 as being anticipated by *Lidholt et al.* (U.S. Patent No. 4,389,091). In response, Applicant respectfully asserts that Independent Claim 26 of the Present Application, as amended, is not anticipated by *Lidholt*, as *Lidholt* does not disclose each and every element of Independent Claim 26, as amended.

Lidholt purports to disclose a method and a device for connecting an optical fibre connector with another optical component. Figures 4 and 5 each appear to be directed to the connection of two fibre end portions. As disclosed, Figure 5 illustrates an embodiment for connecting two sleeve elements 8 with each other. Sleeves 72, 74, each connected to sleeve elements 8, fit within one another in an effort to connect the

two fibre end portions together. Further, bayonet socket 88 is used to secure the connection of sleeves 72, 74 together.

In the Office Communication, the Examiner does not assert that *Lidholt* discloses “a connector housing including a mating receptacle for establishing a connection with [a] complementary connector,” as is required by Independent Claim 26, as amended. Further, although the Examiner contends that reference numerals 72 and/or 88 refer to a “connector sleeve/mating receptacle/socket” (18 Sep 08 Office Communication, p. 4), Applicant respectfully asserts that neither 72 nor 88 can qualify as a sleeve or a mating receptacle, as those phrases are used in the Present Application.

Independent Claim 26, as amended, explicitly requires a connector housing *including* a mating receptacle; meaning that the mating receptacle is a portion of the connector housing. That *Lidholt* does not disclose a connector housing necessarily means that *Lidholt* does not disclose each and every element required by Independent Claim 26, as amended.

Further, Independent Claim 26, as amended, requires the mating receptacle to include at least one protruding and integrally-formed sleeve. Consequently, Applicant asserts that, even if reference numerals 72 and 88 can be argued to be mating receptacles (which, because they are not part of a connector housing, Applicant respectfully asserts they are not), *Lidholt* does not disclose at least one integrally-formed sleeve having a channel and channel extension protruding from the mating receptacles, as is required by Independent Claim 26, as amended.

Thus, Applicant respectfully asserts that, in contrast with Independent Claim 26, as amended, the mating receptacle of *Lidholt* does not include at least one protruding

and integrally-formed sleeve having a channel and channel extension adjacent one another along a stop surface.

Finally, Applicant respectfully asserts that the disclosure of *Lidholt* fails to disclose “a stop surface *for said complementary optical terminal element*” (emphasis added), as that phrase is understood by the Present Invention. Rather, while the disclosure of *Lidholt* potentially can be said to have a stop surface (pointed out by the Examiner as surface abutting flange 26), it is impossible that the stop surface be accessed by the complementary optical terminal element. Reference is made to Figure 5 to show this impossibility.

In light of the discussion above, Applicant respectfully asserts that *Lidholt* does not anticipate each and every element of Independent Claim 26, as amended. Further, as Dependent Claims 28-31 are ultimately dependent from Independent Claim 26, as amended, Applicant respectfully asserts that *Lidholt* does not anticipate each and every limitation of Dependent Claims 28-31 as well.

Finally in the Office Communication, the Examiner rejected Dependent Claims 32, 35-6, 39-41 and 44 as being unpatentable over *Lidholt*, as applied to Claims 26 and 31. Each of Dependent Claims 32, 35-6, 39-41 and 44 depend, either directly or indirectly, on Independent Claim 26. Applicant respectfully asserts that, for the reasons set forth above concerning the distinguishing features between Independent Claim 26 and *Lidholt*, Dependent Claims 32, 35-6, 39-41 and 44 cannot be unpatentable over *Lidholt*, as applied to Claims 26 and 31.

In light of the Remarks and Amendments presented herein, Applicant respectfully asserts that this Response places the Present Application in condition for allowance,

and requests as such. Should the Examiner not agree, or have any further questions, the Examiner is requested to contact Applicant's undersigned representative.

As mentioned above, the shortened statutory period for response to the 18 September 2008 Office Communication was 18 December 2008. Accordingly, Applicant respectfully and concurrently requests a Three (3) Month Extension of Time be granted to file this Response. The associated Fee may be charged to Deposit Account No. 501873. Further, Applicant respectfully requests that the Fee for presenting the Information Disclosure Statement at this time may also be charged to Deposit Account No. 501873. Finally, with this Response, Applicant is concurrently submitting a Power Of Attorney Or Revocation Of Power Of Attorney With A New Power Of Attorney And Change Of Correspondence Address.

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Respectfully submitted,

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